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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/740,746	12/19/2003	Anil Kumar Chebolu	190250-1850	4927

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EXAMINER	
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ART UNIT	**PAPER NUMBER**
2132	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/740,746	CHEBOLU ET AL.	
	Examiner	Art Unit	
	Samson B. Lemma	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. **Claims 1-32** have been examined.

2. The application **claims Priority from Provisional Application** 60503333 filed on 09/16/2003, thus the effective filling data for the subject matter defined in the pending claims of this application is **09/16/2003.**

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 23-32** are rejected under 35 U.S.C. 101 because the subject matter is directed to non-statutory subject matter.

5. **Claims 23-32** are directed to a computer-readable medium for storing a program that control computer access. The examiner asserts that the limitation of the claims does not fall within the statutory classes listed in 35 USC 101, because on page 9, paragraph 0046, of the specification, the computer-readable medium is defined as follows "the computer-readable medium could be **infrared or optical fiber or** could even **be paper** or another suitable medium upon which the program is printed, as the program can be electronically captured, via for instance optical scanning of the paper or other medium, then compiled, interpreted or otherwise processed in a suitable manner if necessary, and then stored in a computer memory." Such medium are considered non statutory.

The language of the claims raises a question as to whether the claims are directed merely to an abstract idea/software/instructions that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 1, 2-3, 6-7 and 9** are rejected under 35 U.S.C. 102(b) as being anticipated by **Hastings et al (**hereinafter referred as **Hastings)**(U.S. Patent No. 6,370,629 B1) (date of patent: 04/09/2002)

8. **As per independent claim 1, Hastings discloses a system for controlling computer access** [Abstract] *(Access to stored information by a user is controlled by comparing an actual geographic position and/or an actual date/time with a geographic region and/or a date/time interval within which access to the stored information is authorized),* **the system comprising:**

> **At least one user profile for at least one respective user,**[See figure 6, ref. Num 155] *(for one user or one-time and for 2nd user...)* **each user profile indicating access times that the respective user is authorized to access a computer, wherein each user profile is customizable for the respective**

user; a control unit to regulate user-access to the computer according to the user profile of a current user of the computer. (Abstract and figure 2,ref. Num "154"; figure 4, ref. Num "460" figure 5, ref. Num "460" and column 3, lines 3-4; column 3, lines 56-62 and column 4, lines 14-26] *(For instance on column 4, lines 18-26, the following has been disclosed. "Each GPS satellite 90 maintains an extremely accurate clock. The receiver 70 receives the GPS clock signals as part of signals 75, or a local atomic clock can provide similar clock signals. The clock signals enable control of access to the information based* ***on the actual time when access to the information is attempted****. For example, the producer can specify that access is to be granted only (1) before a predetermined date/time; (2) after a predetermined date/time; or (3) only during a predetermined date/time period.")*

9. As per claims 2-3 and 9 Hastings discloses a system/method for controlling computer access as applied to claims above. Furthermore Hastings discloses the method, wherein the access times include a specific time of day that the current user can access a particular computer application. [Column 4, lines 18-26] *(Each GPS satellite 90 maintains an extremely accurate clock. The receiver 70 receives the GPS clock signals as part of signals 75, or a local atomic clock can provide similar clock signals. The clock signals enable control of access to the information based* ***on the actual time when access to the information is attempted****. For example, the producer can specify that access is to be granted only (1) before a predetermined date/time; (2) after a predetermined date/time; or (3) only during a predetermined date/time period.")*

10. As per claims 6-7 Hastings discloses a system/method for controlling computer access as applied to claims above. Furthermore Hastings discloses the method, wherein the access times include a specific time of day [Column 4, lines

15-26 and column 1, lines 58-67] that the current user can access a content category(see for instance the table 1, "file")

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. **Claims 4-5, 8, 10-11 and 12-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hastings et al (**hereinafter referred as **Hastings)**(U.S. Patent No. 6,370,629 B1) (date of patent: 04/09/2002) in view of **Schmidt et al** (hereinafter referred as **Schmidt)**(U.S. Patent. No. 5991807) (Patent date: Nov 23, 1999)

13. **As per independent claims 4-5, 8, 10-11, 12-16, 19-20, 23-26 and 29-30**

Hastings discloses a system for controlling computer access [Abstract] *(Access to stored information by a user is controlled by comparing an actual geographic position and/or an actual date/time with a geographic region and/or a date/time interval within which access to the stored information is authorized),* **the system comprising:**

> **At least one user profile for at least one respective user,**[See figure 6, ref. Num 155] *(for one user or one-time and for 2nd user...)* **each user profile indicating access times that the respective user is authorized to access a computer, wherein each user profile is customizable for the respective user; a control unit to regulate user-access to the computer according to the user profile of a current user of the computer. (Abstract and figure 2,ref. Num "154"; figure 4, ref. Num "460" figure 5, ref. Num "460" and**

column 3, lines 3-4; column 3, lines 56-62 and column 4, lines 14-26] *(For instance on column 4, lines 18-26, the following has been disclosed. "Each GPS satellite 90 maintains an extremely accurate clock. The receiver 70 receives the GPS clock signals as part of signals 75, or a local atomic clock can provide similar clock signals. The clock signals enable control of access to the information based* ***on the actual time when access to the information is attempted****. For example, the producer can specify that access is to be granted only (1) before a predetermined date/time; (2) after a predetermined date/time; or (3) only during a predetermined date/time period.")*

Hastings does not explicitly teach that

The access times include a specific time of day that the current user can access an Internet web site.

However, in the same field of endeavor **Schmidt** discloses access times include a specific time of day that the current user can access an Internet web site. [Column 3, lines 28-44 and abstract] *(In the preferred embodiment of the subject invention, the administration system is capable of utilizing the native LAN identification of users, the group or groups to which each user is defined, and for authorizing for each user so identified the specific Internet destinations and services to which the user has access and the time and day during which the access is authorized. For example, if user PC LAN user A is assigned to the PC LAN group 1, user A will have access to Internet destinations and services for which group 1 has authorization. Further, the time to which access is allowed is controlled. For example, user A may have access to only limited addresses during the hours of 9:00 a.m. to 12:00 a.m. and 1:00 p.m. to 5:00 p.m., with unlimited access from 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m. and no access at all from 7:00 p.m. to midnight and from midnight to 7:00 a.m. This can be*

accomplished simply by assigning group parameters at a PC workstation on the LAN as Group 1 parameters.)

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the features of accessing an Internet web site times include a specific time of day, as per teachings **Schmidt** into the method taught by **Hastings** for the purpose providing reliable, versatile administration system for controlling and monitoring access to distributive network sites by either individual or groups of PC users on a LAN or WAN [**See Schmidt**; column 2, lines 20-23]

14. **As per claims 17-18 and 27-28 the combination of Hastings and Schmidt discloses a system/method for controlling computer access as applied to claims above. Furthermore Hastings discloses the method, wherein the access times include a specific time of day that the current user can access a particular computer application. [Column 4, lines 18-26]** (*Each GPS satellite 90 maintains an extremely accurate clock. The receiver 70 receives the GPS clock signals as part of signals 75, or a local atomic clock can provide similar clock signals. The clock signals enable control of access to the information based* ***on the actual time when access to the information is attempted****. For example, the producer can specify that access is to be granted only (1) before a predetermined date/time; (2) after a predetermined date/time; or (3) only during a predetermined date/time period.")*

15. **As per claims 21-22 and 31-32 the combinations of Hastings and Schmidt** discloses a system/method for controlling computer access as applied to claims above. Furthermore Hastings discloses the method, wherein the access times include a specific time of day [Column 4, lines 15-26 and column 1, lines 58-67] that the current user can access a content category (see for instance the table 1, "file")

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.(See PTO-Form 892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-873-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA
S.L.
04/25/2007

Benjamin E. Lanier
Examiner AU 2132